

**COUNCIL WORK SESSION
MONDAY, FEBRUARY 21, 2011**

6:15 P.M. PROMPT

~~✓~~ DISCUSSION OF AGENDA

~~✓~~ DISCUSSION WITH CITY ENGINEER JOE CIUNI

~~✓~~ DISCUSSION OF JACKSON ST. LOCUST TREES

~~✓~~ DISCUSSION OF GOULD AVENUE AREA SEWER PROBLEMS

~~✓~~ DISCUSSION OF STUDENT GOVERNMENT DAY – Kathleen Lynch

- **EXECUTIVE SESSION – Personnel**

Bedford, Ohio

February 21, 2011

Bedford City Council met in a work session at Bedford City Hall on Monday, February 21, 2011 at 6:15 p.m.

Present: Council Members: Mayor Dan Pocek, Warner Batten, Stan Koci, Marilyn Zolata, Paula Mizesak, Don Saunders. Absent : Greg Pozar. Also Present: Clerk of Council Kathleen Lynch. Administration: City Manager Henry Angelo, Law Director Ken Schuman, Finance Director Frank Gambosi, Service Director Clint Bellar, City Engineer Joe Ciuni and Engineer Steve Schreiber.

The Mayor began the Work Session with discussion of the Regular Meeting Agenda.

The Mayor said there is no new information on the contract with Light of Hearts so Ordinance No. 8785-11 should remain tabled.

Mr. Angelo said Council asked him to look into selling 559 Darlington in lieu of demolition. It has been determined that the house will go out for bid to purchase and will include a list of work that is required to be done to meet code. Therefore, Ordinance No. 8799-11 should be defeated.

Ordinance No. 8801-11 was put on first reading at the February 7, 2011 meeting. Mr. Angelo said Mr. Ciuni and Mr. Schreiber are here to answer any questions about this ordinance and the additional fees they are requesting for the replacement of all commercial water meters in the City.

Mr. Schreiber said to put together the most comprehensive bid spec requires obtaining the most information as possible. All commercial water meters are kept in water vaults, underground. It was originally thought that three to four vaults could be inspected per day. Unfortunately, there are issues with the meters being under water in the vaults, causing only two vaults to be done a day.

There are 104 commercial meters in the City of Bedford that are from 2 inches to 8 inches. The purpose of upgrading the meters is to recover water that is being lost/used and not charged for. Mr. Ciuni said the more information gathered also means less change orders for the project. There are 38 vaults in the City, and 19 have been inspected to date.

Councilwoman Mizesak asked what the depth of the vaults is. Mr. Schreiber said about 10 to 12 feet. The Mayor asked what the vaults are constructed of. Mr. Schreiber said the majority are brick structures. Councilman Batten asked if the new vaults will have the issues with water that the old vaults have. Mr. Schreiber said it is inevitable that ground water will seep in but the difference will be when the water is pumped out it will stay dry for 6 to 8 hours to allow work to be done. The old vaults are not able to stay dry that long causing more issues.

Councilman Koci asked about the water recovery. Mr. Schreiber said as meters age they become slower and do not read the usage properly.

Councilman Saunders asked if any of the vaults are pre-cast. Mr. Schreiber said not all of them because some date back to the 1920's and 1930's. Mr. Saunders asked the last time commercial meters were replaced in the City. Mr. Ciuni does not remember doing any since he has been working with the City.

Discussion of the regular agenda continued. Mr. Angelo said Ordinance No. 8802-11 is an amendment to the agreement the City has with Impact for the employee assistance program. It is the same agreement and cost as the original done in 1995. The cost is \$2.00 per month/per employee.

Mr. Angelo said Ordinance No. 8803-11 is for the replacement of the Wood Creek Culvert at Broadway. There were eight bids received and the low bid was with Great Lakes Crushing for \$672,842.00. Councilman Batten asked how traffic would be handled during the construction. Mr. Ciuni spoke with Chief Duber and there will be one lane of traffic closed going in each direction.

Mayor Pocek asked how long the project would take. Mr. Ciuni said approximately 120 days and they can begin in March. Councilman Saunders asked if the replacement is done with pre-cast materials. Mr. Ciuni said yes. The culvert is now an old stone arch.

Mr. Schuman said there is an issue with two of the land owners in that area. They are not cooperating with right of way access. Mr. Ciuni said the job will not be awarded until those two easements are obtained.

Mr. Angelo said Ordinances 8804-11, 8805-11 and 8806-11 all concern appraisals for City owned homes.

Mr. Schuman said the County is changing several things with the new government in place and one of them is the Tax Incentive Review Commission. Previously, the County appointed three members from the City and Council appointed two additional members. After speaking with Joe Micciulla at the County, it appears the County will appoint three members to hear all of the municipalities. Ordinance No. 8807-11 updates the two City appointments. They will be Mr. Schuman and Mr. Angelo.

Discussion of the regular meeting agenda concluded.

The next item on the work session agenda was the discussion of Gould Avenue sewer problems. Mr. Angelo said a letter was sent out to those in the area with a survey. Four responded that they had sewer back-up problems, but the majority of residents did not respond. Councilman Pozar asked to look further into this issue.

Mr. Bellar said before any money is spent, the area will be dye cast again. Mr. Ciuni said before the area was slip lined there were issues with back-ups. Councilman Saunders asked when the last time a camera was used in that area. Mr. Bellar said within the last five years, but that could be done.

The next item on the work session agenda was the discussion of Jackson Street locust trees. Mr. Angelo said 22 postcards were mailed out to residents on the street. Nine did not reply, three were undeliverable and the other residents would like to see the trees removed and another replanted. Mr. Angelo said that would cost approximately \$20,000.


Councilman Batten said there are 24 treelawns that this affects with two of the homes being on Greencroft. He asked if it would be possible to take the existing trees down and not replace them. Mr. Bellar said the Tree Board addressed this several years ago and stated that when a tree dies it will be replaced with a different type. Mr. Bellar said the ash bore is also going to destroy trees and be costly to replace. Councilman Batten would like to speak with the residents on Jackson Street. It was agreed that the discussion will continue after Councilman Batten has spoken to the area residents.

The last item on the work session agenda was the discussion of Student Government Day. Ms. Lynch said there were concerns after last year's banquet brought up by Council and issues with coordinating the event with the high school advisor. Last year, there was a snow day the Friday before the students were to attend on Monday. There were only five to seven students that had permission slips in and therefore, the event was cancelled. Ms. Lynch said it is difficult to coordinate with a new advisor each year, and there is a lack of interest among students.

The Mayor asked Ms. Lynch to contact the Superintendent to express Council's concern with the banquet and her concerns with the advisor. It will be determined how to proceed after more information is obtained.

At this time, Bedford City Council and Administration went into an executive session to discuss Personnel issues.

Work Session was adjourned at 7:35 p.m.


Clerk of Council


Mayor – President of Council

1. CALL TO ORDER**2. PLEDGE OF ALLEGIANCE****3. ROLL CALL****4. APPROVAL OF MINUTES**

- a.** Approval of Minutes of the Work Session of February 7, 2011
- b.** Approval of Minutes of the Regular Meeting of February 7, 2011

5. OLD BUSINESS

- a.** Ordinance No. 8785-11, authorizing the City Manager to enter into an agreement with Light of Hearts Villa for calendar year 2011 for senior services (\$10,000.00) – 1st reading 01/17/11; tabled 02/07/11
- b.** Ordinance No. 8799-11, authorizing the demolition of the structure located at 559 Darlington with Midtown Remodeling and Demolition (\$5,666.00) – 1st reading 02/07/11
- c.** Ordinance No. 8801-11, authorizing engineering fees for the design of replacement of all commercial water meters in the City of Bedford (\$20,217.00) – 1st reading 02/07/11

6. REPORTS

- a.** City Manager
- b.** Law Director
- c.** Finance Director
- d.** Council Reports

7. NEW BUSINESS

- a.** Ordinance No. 8802-11, authorizing the City Manager to execute an Amendment to the Impact Employee Assistance Program Agreement
- b.** Ordinance No. 8803-11, authorizing and directing the City Manager to enter into a contract with Great Lakes Crushing for the Wood Creek Culvert Replacement at Broadway (\$672,842.00)
- c.** Ordinance No. 8804-11, authorizing the City Manager to enter into a contract with Donald Martin for an appraisal at 166 Woodrow (\$250.00)
- d.** Ordinance No. 8805-11, authorizing the City Manager to enter into a contract with Donald Martin for an appraisal at 831 Lincoln (\$250.00)
- e.** Ordinance No. 8806-11, authorizing the City Manager to enter into a contract with Donald Martin for an appraisal at 798-800 Washington (\$250.00)
- f.** Ordinance No. 8807-11, amending Ordinance No. 7679-05 designating the City's members to the Tax Incentive Review Commission (TIRC)

8. HEARING OF CITIZENS**9. ADJOURNMENT**

Bedford, Ohio

February 21, 2011

Bedford City Council met in regular session at Bedford City Hall on Monday, February 21, 2011. Mayor Pocek called the meeting to order at 8:00 P. M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Batten, Koci, Mizesak, Pocek, Saunders, Zolata. Absent: Pozar.

Motion made by Zolata seconded by Mizesak to excuse the absence of Councilman Pozar. The roll was called. Vote – Yeas: Batten, Koci, Mizesak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Zolata to approve the minutes of the Work Session of February 7, 2011. The roll was called. Vote – Yeas: Batten, Koci, Mizesak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Saunders to approve the minutes of the Regular Meeting of February 7, 2011. The roll was called. Vote – Yeas: Batten, Koci, Mizesak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8785-11, an ordinance authorizing the City Manager to enter into an agreement with Light of Hearts Villa for calendar year 2011 and declaring an emergency placed on first reading January 17, 2011, tabled February 7, 2011 was read by title only and remains on the table.

ORDINANCE NO. 8799-11, an ordinance authorizing the City Manager to enter into a contract with Midtown Remodeling and Demolition to demolish the structure at 559 Darlington Drive in the City of Bedford and declaring an emergency placed on first reading February 7, 2011 was read by title only. Motion made by Mizesak seconded by Saunders to place Ordinance No. 8799-11 on second reading.

Mayor Pocek said Council will defeat this motion because under the suggestion of the City Manager the City will attempt to sell this home.

The roll was called. Vote – Yeas: None. Nays: Batten, Koci, Mizesak, Pocek, Saunders, Zolata. Motion failed unanimously.

ORDINANCE NO. 8801-11, an ordinance authorizing engineering fees for the design of the replacement of all commercial water meters in the City of Bedford and declaring an emergency placed on first reading February 7, 2011 was read by title only. Motion made by Zolata seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Batten, Koci, Mizesak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Koci to place Ordinance No. 8801-11 third and final reading and passed.

Mr. Angelo said this is additional work performed by GPD, our engineering company, to replace all the commercial water meters in the City. There are 40 meters in vaults. The vaults are either brick, pre-cast or metal. The engineers have to go into the vaults to look at the meters to determine what work needs to be done in order to get the bid specification out. Originally it was believed they could do three a day. They are not able to do that because many are under water.

The roll was called. Vote – Yeas: Batten, Koci, Mizesak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

No report from the City Manager.

No report from the Law Director.

Mr. Gambosi said beginning June 1, 2011 the City will have a new lock box for tax returns.

Councilman Saunders thanked the Service Department for all of the work they have done considering the amount of ice there has been. Once again, parking is an issue. Parking on the street is only temporary, it is not an extension of a driveway. It causes problems when it snows and the plow trucks have to go around the cars. There needs to be a two hour parking limit in the winter because it is getting worse. Mr. Saunders is hearing more complaints about neighbors not caring about other neighbors, tickets need to be given out or the cars towed.

Mr. Angelo looked into this the last time Councilman Saunders brought it up and met with the Police Chief and Public Works Director. The crews plowing are calling the police department when cars are parked on the streets. The Chief asked Mr. Angelo to have Council call them directly anytime there is car that shouldn't be parked on the street rather than wait for the Council meeting.

Mayor Pocek asked if the ordinance was still in place banning parking when snow exceeds two inches. Mr. Angelo said yes.

Councilwoman Mizesak said everything to be status quo in Ward 4. There was a concern with a deer last week and she notified the police. She asked Mr. Angelo to thank the department for her, and especially Officer Painter. He went over and above what was necessary and came to her home to notify her and give an update.

Councilwoman Zolata said the Historical Society of Bedford is having a reverse raffle on March 5, 2011. If you want tickets, please see her or Kathleen. Mrs. Zolata asked if there were signs at the beginning of the streets stating if snow exceeds two inches there is no parking. She doesn't notice many of them. Mr. Angelo said a reminder can be put in the water bill. Mrs. Zolata said this Thursday, February 24, 2011 a meeting with Congresswoman Fudge is being held at Ellenwood from 11:30 a.m. to 1:00 p.m. concerning Social Security.

Councilman Koci said there were quite a few branches taken down in the rain/ice last night and the chipper will be going around to pick up the larger limbs. They will do what they can.

Mr. Koci has to do a little bragging tonight about his granddaughter. She was selected for the People to People Student Ambassador Program which was started in 1953 by President Eisenhower. These students travel all over the world and his granddaughter will be going to London and Paris this June. She is eleven years old and they are so proud of her. Their academics have to be in good standing and nominated by a clergy member or teacher and then there is an interview process. Only two children from her school were selected to go. He is so proud of Madison.

Mayor Pocek said on the back of the agenda there is the Mayor's annual quiz on Presidents that will be done after the hearing of citizens.

ORDINANCE NO. 8802-11, an ordinance authorizing the City Manager to execute an Amendment to the Impact Employee Assistance Program Agreement and declaring an emergency was read by title only. Motion made by Koci seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Batten, Koci, Mizesak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Koci to place Ordinance No. 8802-11 on third and final reading and passed.

Mr. Angelo said this contract is for employee counseling, etc. By law the City is required to have this coverage. The contract has been in existence since 1995 and the language is being updated. However, the cost is the same as 1995 at \$2.00 per employee/per month.

The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8803-11, an ordinance authorizing and directing the City Manager to enter into a contract with Great Lakes Crushing being the lowest, responsive and responsible bidder, and declaring an emergency was read by title only. Motion made by Saunders seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Batten seconded by Koci to place Ordinance No. 8803-11 on third and final reading and passed.

Mr. Angelo said this is for the replacement of the Wood Creek Culvert at Broadway. The original estimate was approximately \$740,000.00. It is being paid for with a combination of OWPC grant money and zero percent loan. There were eight bids received. The bid was \$672,000.

The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8804-11, an ordinance authorizing the City Manager to enter into a contract with Donald Martin to perform an appraisal at 166 Woodrow Avenue in the City of Bedford and declaring an emergency was read by title only. Motion made by Saunders seconded by Mizsak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Zolata seconded by Koci to place Ordinance No. 8804-11 on third and final reading and passed.

Mr. Angelo said this ordinance and the next two ordinances are for appraisals on homes the City owns. It is part of the Neighborhood Stabilization Program and the funds to pay for the appraisals comes from that grant money.

The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8805-11, an ordinance authorizing the City Manager to enter into a contract with Donald Martin to perform an appraisal at 831 Lincoln Boulevard in the City of Bedford and declaring an emergency was read by title only. Motion made by Batten seconded by Zolata to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizsak to place Ordinance No. 8805-11 on third and final reading and passed.

The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8806-11, an ordinance authorizing the City Manager to enter into a contract with Donald Martin to perform an appraisal at 798-800 Washington Street in the City of Bedford and declaring an emergency was read by title only. Motion made by Saunders seconded by Mizsak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Koci seconded by Batten to place Ordinance No. 8806-11 on third and final reading and passed.

The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

ORDINANCE NO. 8807-11, an ordinance amending Ordinance No. 7679-05 designating the City's members to the Housing Council and Tax Incentive Review Commission (TIRC) for the tax incentive programs for the City of Bedford and declaring an emergency was read by title only. Motion made by Batten seconded by Koci to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Motion made by Saunders seconded by Mizsak to place Ordinance No. 8807-11 on third and final reading and passed.

Mr. Schuman said the City is mandated to have a Tax Incentive Review Commission if the City provides abatements to companies and review them on a yearly basis to determine if the company is adhering to their payroll, etc. The County will appoint three members, a representative from the Auditor's office, two members of the City, which this ordinance designates Mr. Schuman and Mr. Angelo, and one member from the School Board.

The roll was called. Vote – Yeas: Batten, Koci, Mizsak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Mayor Pocek said that concluded the business portion of the meeting but before the hearing of the citizen's portion there are two items he would like to cover. He wished Councilwoman Zolata a Happy Birthday which is on Sunday. The second item concerns an issue which many in the audience are here to address about the FEMA announcement.

Mr. Schuman said the City had nothing to do with the flood map and alterations done by FEMA. In early December, FEMA had re-written all of their flood maps in the country. There is speculation that this was done because of Hurricane Katrina and the loss that accompanied that. The bottom line is FEMA redid the maps. This has caused many more residents to be considered in a flood zone, and the way FEMA determined the flood zone doesn't make much sense to the City. However, the City does not have any input or say so in it. If you are in the flood zone, the mortgage company or bank can mandate flood insurance which is an additional expense to the resident. There is a process to appeal it on the website. However, the mortgage company can deny it without any recourse. This doesn't seem to be a fair proposition. Many councils throughout the area are upset about it. Some people think the City had some say so in the matter but they did not. It is a federal mandate and that supersedes anything the City can do.

Mayor Pocek said residents have come to Council stating other cities are defending their residents. One example is the City of Strongsville. The reason Strongsville is taking action is because the City permitted the change of the course of some creeks. The City has not done anything of that nature so the City has no liability.

Michael Majied, 504 Lamson, said last week while at the library there was an incident between two men being unruly. One of the librarians told them to leave. Mr. Majied was afraid one of the men was going to hit the librarian, he didn't but was very obnoxious. He asked what type of security is in place at the library for incidents like that. The Mayor said unfortunately there isn't anything in place.

Mr. Majied has a daughter that resides in Old Brooklyn and she received a flyer that the entire community will receive free wi-fi. He asked if the City of Bedford could look into this. Mr. Gambosi said the City is not wired for that.

Denise Zingale, 27 Tudor, is here to address, along with most of her street, the FEMA issue. They know it is not the City of Bedford that changed the map. She gave a copy of the rezoned map to members of Council to review. The map shows water flowing up the streets of Tudor and Thames. There is no possible way the water would flow up hill. There are residents on the street that have been there for over 50 years and there has never been a problem with flooding.

Ms. Zingale was informed there was a letter sent to residents in 2009 but nobody received the letter. She spoke with Mr. Mallis after leaving two messages with the City Manager. This letter was sent out supposedly in March 2009. She called the agency, Northeastern Ohio Regional Sewer District (NEORS), and spoke with Linda. Linda indicated to Ms. Zingale there was communication between the cities. The flood-plain change with FEMA actually started in 2004. Linda from NEORS sent a copy of the letter sent to residents about a local meeting held on April 14, 2009. She requested from Linda the list of attendees from the meeting.

Mr. Schuman asked where the meeting was held. Ms. Zingale said it was supposedly held at the NEORS in Valley View. None of the residents have been aware of it. The City is classified now as a city as an area having a special flood or mud flow. Houses would not have been build on those streets if this was an issue.

Ms. Zingale said the residents of Tudor are looking for direction, guidance and support. They know the City did not decide the map but this does affect the City and its image. People are abandoning houses and walking away from their mortgages. She has a neighbor two houses down that just did it, and that is not something she wants to hear. There are numerous vacancies in the City. The police have been patrolling Ward 1 and residents called to see why and were told there a number of vacancies and the increased patrol is to monitor theft. The residents are looking to Council for advice. Residents can file a letter of map amendment and hire a surveyor. If the basement is one inch below the flood plain, there is nothing they can do. The creek has never flooded and she has been there for thirteen years.

Ms. Zingale said if the City can give residents support, it would make more of an impact. This is an extra \$1,500 per year and was completely unexpected. She has to find a second job along with some of her neighbors. Over 400 residents in Bedford got hit with this. It doesn't make their houses un-sellable, but it doesn't make it attractive to buy in Bedford. This is a problem that already exists, people are not buying homes in our City. She is a single professional who owns a business and just recently was engaged. Her fiancé will be moving into Bedford.

Mr. Schuman said the bottom line is there is nothing for the City to do. There is a system created, which nobody here agrees with, but a map amendment can be filed. A surveyor has to be paid and there is no guarantee the mortgage company or the bank has to honor it.

Ms. Zingale said after speaking with her mortgage company if a letter of map amendment is provided and they prove they are not in the flood plain, the lender has to take it off. She asked if the City could help obtain a surveyor for the residents at a reduced rate.

Mr. Angelo said if Ms. Zingale were to show the elevations are not as they say, does the mortgage company have to accept after FEMA agrees?

Ms. Zingale said the lender sent her a letter stating her home was put into a high risk flood plain. She would then have to send her lender a letter of map amendment proving her house is not in a flood plain. A surveyor would have to survey the entire thing. Mr. Angelo understands all of that, but if the elevations show they are not in the flood plain what happens next. Ms. Zingale said it is then sent to Washington, D.C. and the map has to be revised. Mr. Angelo said it was his understanding that they do not have to accept it and he is not saying that is right. Council and the Administration have discussed this topic and the elevations being used are totally ridiculous.

Mr. Angelo said the City's concern is the information received states the insurance company, mortgage company and FEMA do not have to agree to the amendment. Mr. Angelo said letters did go out to the residents and only two people responded per his discussion with Mr. Mallis. He asked if the residents on Tudor would participate and pay the bill if the City worked to get a discounted surveyor. Ms. Zingale said there are four residents here now and they are willing to get more people in the area involved.

Mr. Angelo said this needs to be discussed with Council again and the possibility of the City intervening to get a discounted rate without any liability on the City's behalf if residents don't get what they are looking for. There is no guarantee even if the elevations change. Ms. Zingale understands that is a risk.

Mr. Schuman said the major issue from the City's perspective is there are 300 to 400 residents that should not be paying this, but if the City gets a surveyor and they charge \$2,500 and the residents don't get what they want, they are going to look at the City. The City does not care who the surveyor is, if they can find one to do it at a reduced rate for as many people as possible, that would be great. Residents have to be aware that the City has nothing to do with the surveyor or surveying, whether it is granted or not.

Ms. Zingale has been in contact with a surveyor already. Mr. Schuman said the surveyor has to work with the residents directly. Ms. Zingale said residents are looking for guidance but understand the responsibility is on the residents.

Mr. Angelo said the City has the list of residents that are affected by this change. The Mayor said Council needs to further discuss this matter and if the City can help they want to, but have to also protect the liability of the City. The Mayor said communication is more difficult without a newspaper but the City is working on those issues. The Mayor said an answer cannot be given tonight.

Mary Ann Berry, 22 Tudor, said Wood Creek did flood in the lower level and at that time it was not maintained in Maple Heights. She went to Maple Heights Council about this. There was a time when an item was before Council to repair Wood Creek and be put on the tax duplicate but at the time it was voted down. There was also a grant to do this and she heard the grant money was used somewhere else or given back to the government. Mrs. Berry said on the lower level of her property, not where her house is located, there is a shed and it was under water about 36 inches. That has not happened since a retention basin was put in. If the basin is not properly maintained, the water level will go high. She has called City Hall for answers about making sure it is being taken care of and there is never answer from anyone. The retention basin is by Liberty Ford.

The Mayor said that is in Maple Heights. Mrs. Berry said Maple Heights is tunneled in to a point. She has spent over \$5,000 maintaining her wall on the property. Nobody seems to care about these issues. She loves her area but the concerns she has have never been addressed. She has been at her address for 51 years.

Robert Travis, 14570 Lorain, asked if Council was the governing body of the City of Bedford. The Mayor said yes. Mr. Travis said as the governing body what was done when FEMA began these changes for the citizens. Mr. Schuman does not remember the meeting being held, but the bottom line is letters were sent out to the residents. Mr. Travis said with two responses. Mr. Schuman said the City cannot control who responds. Nobody called Mr. Schuman about this issue when the letters were sent so his thought is people received the letter.

Mr. Travis said this will put monetary drain on everyone's income. He said it is not feasible to spend that kind of money when it is not a coastal flood zone. He is asking if there is anything the City can do to work with FEMA on this issue. Mr. Travis asked about the Wood Creek project. Mr. Schuman said the Wood Creek project does not have anything to do with the FEMA issue.

Kathy Bican, 32 Tudor, asked who owns Wood Creek. She has put a lot of money into maintaining it. Mr. Schuman said it is the City of Bedford's responsibility. Mrs. Bican asked why the City does not help fix it when they call. There is debris and erosion. The residents are the people pulling out the debris so it does not flood, it is very expensive and nobody helps. Mr. Schuman said waterways are technically operated by the State. Mr. Schuman said the City is investing \$672,000 to repair the culvert. Mrs. Bican said that will not help where she is. She asked about the Greencroft culvert, does anything need to be done to that to make sure there is no flooding on their end.

Mr. Angelo asked when there was flooding. Mrs. Bican said the houses sit about where the creek runs. It is on the lower area, it does not come by the house. It turns into a marsh and is useless property for them. Mr. Angelo was not aware there was a problem with the Greencroft culvert. Mr. Angelo said every spring they are out there and are looking at what needs to be repaired. Mrs. Bican said when they call the City and there is flooding, nobody even comes out to see it. Mr. Angelo said when it happens to notify him. Mrs. Bican said it is a lot to maintain.

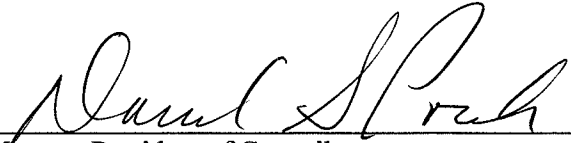
Mrs. Bican received a call about shoveling sidewalks and nobody followed up on that. She is a walker and the businesses should be forced to do it on the main road. Very few of the car dealers had their sidewalks done. Why should the residents be forced to do it and the businesses are not.

The Mayor said this problem is growing every year and the City Manager has a program he initiated and it is education and reinforcement.

There being no further comments, motion made by Koci seconded by Batten to adjourn. The roll was called. Vote – Yeas: Batten, Koci, Mizzak, Pocek, Saunders, Zolata. Nays: None. Motion carried unanimously.

Meeting adjourned at 8:57 P.M.


Clerk of Council


Mayor – President of Council